

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

LUMUMBA EARLE, individually and
as the Personal Representative of the
ESTATE of ANNIE EARLE, deceased,

Plaintiff,

v.

CIVIL ACTION NO. 3:14-29536

JOSH NIELD individually and in
his official capacity, et al.,

Defendants.

ORDER

Pending before the Court are twelve motions in limine filed by the parties (ECF Nos. 350, 351, 353, 355, 357, 358, 359, 360, 361, 362, 363, and 364). The Court held a Motions Hearing on August 1, 2017. For reasons appearing on the record, the Court rules as follows:

- Plaintiff's Motion to Exclude Testimony of Grand Jury Indictment (ECF No. 350) is **GRANTED**;
- Plaintiff's Motion to Exclude Testimony on Toxicology Reports (ECF No. 351) is **GRANTED**;
- Plaintiff's Motion to Exclude Testimony on Prior Psychiatric Treatment (ECF No. 353) is **GRANTED**;
- Plaintiff's Motion to Exclude Standard of Care Testimony by Samuel Faulkner (ECF No. 355) is **GRANTED**;

- Defendant's Motion to Exclude Evidence on Economic Loss for Social Security Benefits (ECF No. 357) is **GRANTED**;
- Defendant's Motion to Exclude Evidence or Reference to Subsequent Incident (ECF No. 358) is **GRANTED**;
- Defendant's Motion to Exclude Reference to Prior Use of Force Reports (ECF No. 359) is **GRANTED**;
- Defendant's Motion to Exclude Statements of Murder, Rape, and Misogyny (ECF No. 360) is **GRANTED**;
- Defendant's Motion to Exclude Evidence to Medical Examiner's Conclusion of Homicide (ECF No. 361) is **DENIED**;
- Defendant's Motion to Prohibit Plaintiff's Fact Witnesses from Observing Trial Prior to Testimony (ECF No. 362) is **GRANTED**. The Court extends this ruling to Defendant's fact witnesses as well;
- Defendant's Motion to Exclude Evidence to Other Lawsuits (ECF No. 363) is **GRANTED**;
- Defendant's Motion to Exclude Evidence of Violation of Standard Operating Procedures (ECF No. 364) is **GRANTED**.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: August 1, 2017



ROBERT C. CHAMBERS, CHIEF JUDGE